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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,840	03/31/2004	Douglas R. Woellner	200313398-1	6491
22879	7590	09/28/2005	EXAMINER	
HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			NGUYEN, TRUC T	
			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 09/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/814,840

Applicant(s)

WOELLNER ET AL.

Examiner

Truc T. T. Nguyen

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 7-9 and 36-57 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 4, 7-9 and 36-57 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).²
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☒ Other: Examiner's attachment.

DETAILED ACTION

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 4, 7-8 rejected under 35 U.S.C. 102(b) as being anticipated by Taylor (US 5,277,620).

Regarding claim 1, Taylor disclose a cable plug retention clip, comprising:

a U-shaped clip body (64) positionable about a power distribution (10) unit configured to plug into a wall outlet and adapted to secure a cable plug to the power distribution unit, comprising:

a first retention mechanism (un-numbered, column 5, lines 29-33) adapted to secure the clip body to the power distribution unit; and

a second retention mechanism (70) adapted to secure the clip body to the cable plug (Figure 7);

the first and second distance is substantially the same (see Figure 7);

the first retention member comprise a projecting member (un-numbered, free end of arm 66, Figure 7);

the second retention comprise a lug (70).

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3. Claims 36-41 are rejected under 35 U.S.C. 102(b) as being anticipated by Haile (US 4,917,625).

Haile discloses a cable retention clip (Figures 10- 12), comprising:

a U-shaped frame clip body (60) having a base (58) and a pair of resilient sides (60) configured to secure a cable plug (42) having a lip (44) to a power strip (48), comprising:

a first retention mechanism comprising a tooth (62) configured to secure the clip body to the lip of the cable plug; and

a second retention mechanism (62, adjacent to member 48, Figure 10) comprising a tooth configured engage to a slot (un-numbered, a corner slot between member 50 and 48) and to secure the clip body to the power strip;

4. Claims 51, 53-57 are rejected under 35 U.S.C. 102(b) as being anticipated by Shibuya et al. (US 5,593,313).

Shibuya et al. disclose:

a circuitry housing (1) having a slot (hole in member 4, Figure 1);

a cable plug (6) having a lip (8);

a U-shaped clip body (3), comprising:

a first retention (E2, Examiner's attachment) engages the lip;

a second retention (E1) engages the slot.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 9, 36, 42-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fiene (US 6,260,981) in view of Johnston (US 6,491,539).

Fiene discloses a one-piece plug retention clip (34, Figure 1) substantially the same as the claimed invention.

Fiene substantially disclosed the claimed invention except the clip is being used with a power distribution unit.

It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitation. *Ex Parte Masham*, 2 USPQ2d 1647 (1987).

Fiene substantially disclosed the claimed invention except a retention wrap.

Johnston teaches a retention wrap (59).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a retention wrap into Fiene's assembly, as taught by Johnston for securely retain the plug.

5. Claims 51 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Low (US 3,017,598).

Low discloses:

a circuitry housing (14);

a plug (12);

a one piece clip body (28) having a first retention (30);

a retention wrap (26).

Low substantially disclosed the claimed invention except the clip is being used with a cable plug.

It has been held that a recitation with respect to the manner in which a claimed apparatus is intended to be employed does not differentiate the claimed apparatus from a prior art apparatus satisfying the claimed structural limitation. *Ex Parte Masham, 2 USPQ2d 1647 (1987)*.

Allowable Subject Matter

6. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Truc T. T. Nguyen whose telephone number is 571-272-2011. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula Bradley can be reached on 571-272-2800 extension 33. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Truc T. T. Nguyen
Primary Examiner
Art Unit 2833



EXAMINER'S ATTACHMENT FOR 10/814, 840

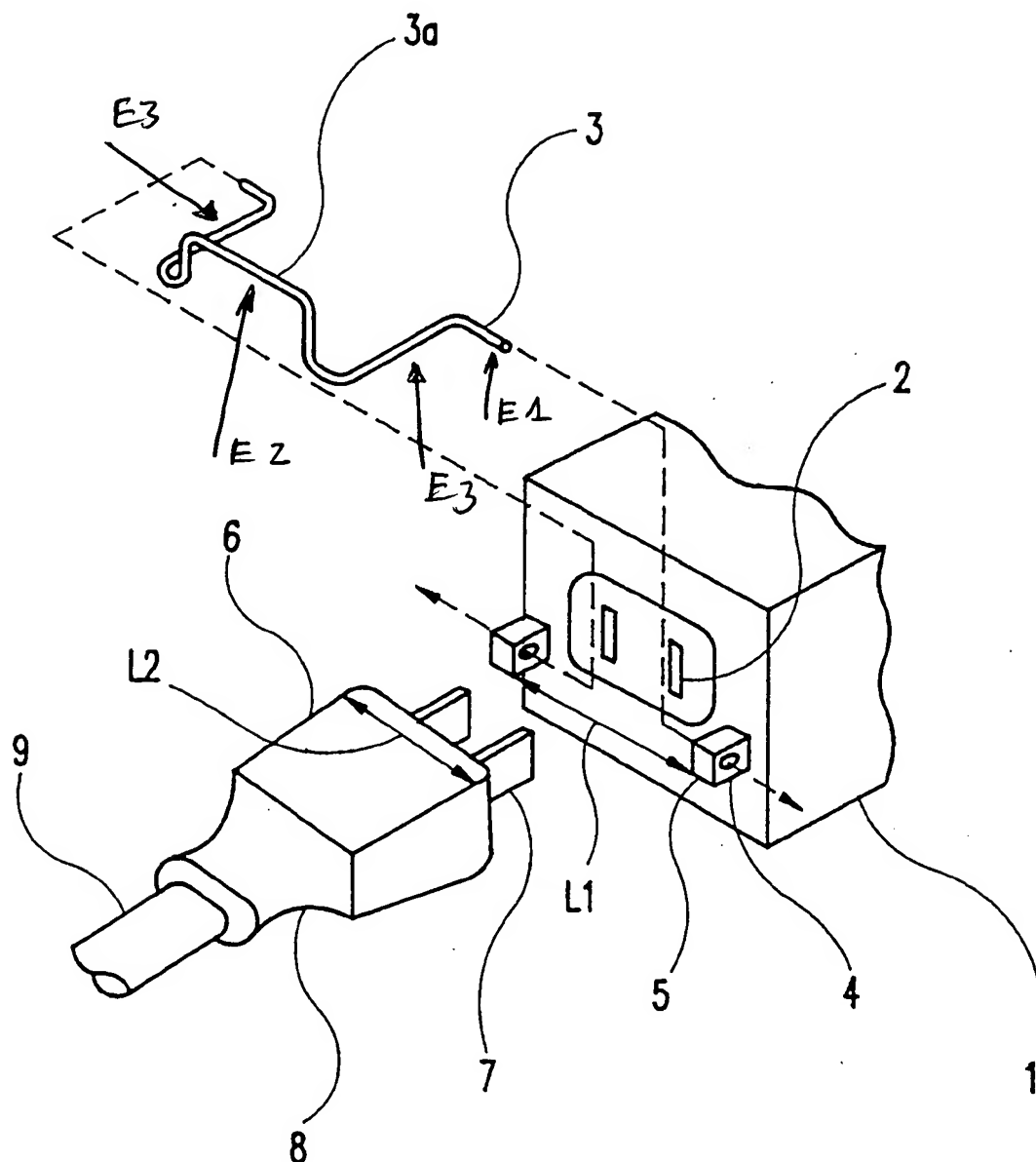


FIG. 1